

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:18-CR-364-D

UNITED STATES OF AMERICA

v.

MICHAEL JACOBS,

Defendant.

ORDER

On January 27, 2021, the court entered a comprehensive order denying Michael Jacobs's motion for compassionate release. See [D.E. 258]. On March 25, 2021, and April 23, 2021, Jacobs again moved for compassionate release again citing his age, his health, and his infection with and recovery from COVID-19. See [D.E. 267, 270]. Jacobs also cited United States v. Kibble, 992 F.3d 326 (4th Cir. 2021), and argues that Kibble requires this court to balance the factors under 18 U.S.C. § 3553(a) differently. See [D.E. 270].

The court rejects Jacobs's arguments. Kibble does not require this court to balance the factors under 18 U.S.C. § 3553(a) differently than this court balanced them in its order of January 27, 2021. Cf. Kibble, 992 F.3d at 331–32. Moreover, United States v. High, No. 20-7350, 2021 WL 1823289, at *4–7 (4th Cir. May 7, 2021), confirms that this court permissibly reviewed the entire record and the section 3553(a) factors in considering Jacobs's motion for compassionate release. See id. In this court's view, nothing material has changed in Jacobs's case since January 27, 2021. Thus, the court DENIES Jacobs's motions for compassionate release [D.E. 267, 270].

SO ORDERED. This 19 day of May 2021.


JAMES C. DEVER III
United States District Judge